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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,008	10/11/2005	Yuka Matsushita	2005_1584A	1283

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EXAMINER	
DAGLAWI, AMAR A	

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
12/17/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/553,008	MATSUSHITA ET AL.	
	Examiner	Art Unit	
	AMAR DAGLAWI	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 September 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 13-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 13-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/25/2009 has been entered.

Response to Amendment

2. Claims 1 and 13-19 are pending in the present application. Claims 1 and 13-15 have been amended and claims 16-19 have been cancelled without prejudice or disclaimer to the subject matter. Also, claims 2-12 are cancelled.

Response to Arguments

3. Applicant's arguments filed on 09/25/2009 have been fully considered but they are not persuasive.

Applicant argues that Hasegawa (US 2004/0072592 A1) fails to teach an importance level or security level of the information being exchanged and that the prior art fails to teach prohibiting a mobile telephone communication for processing information less important when an important communication is performed and that prohibits, in order to prevent a first wireless communications section from causing radio

interferences with the second wireless communication section, mobile telephone communication by the first wireless communications section when the second wireless communication section accesses the memory area for exchange of money.

4. However, the examiner respectfully disagrees since Hasegawa teaches the mobile terminal apparatus stored the certificate information (electronic certificate) on the contactless IC card 15, the certificate information a12 is transmitted to the reader/writer 2. Then, the reader/writer 2 makes an authentication check (which is equivalent to an importance level or security level of information to be exchanged) on the certificate information . If the information is authenticated the reader/writer 2 transmits to the contactless IC card 15 a signal a14 (automatic mode change correspondence information) indicating that the reader/writer 2 has the automatic mode change function. The signal a14, the contactless IC card 15 transmits to the reader/writer 2 a mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information. Furthermore, when a user enters a restricted place that is a concert hall, theater stadium, the user only has to put the mobile terminal apparatus over the reader/writer 2 to automatically switch the set state without manually setting various functions such as the function of "automatically cutting off radio waves" thus preventing radio interferences. (See Fig.5, Fig.7, par [0051] and par [0053]).

DETAILED ACTION

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hasegawa (US 2004/0072592 A1).

With respect to claim 1, Hasegawa teaches A mobile accommodates an IC card having a memory area for storing information regarding electronic money, the mobile telephone comprising:

a first wireless communications section operable to perform a-mobile telephone communication via a communication network(Fig.1, #16);

a second wireless communications section operable to perform a contactless communication, which is independent of the mobile telephone communication, between a reader/writer provided in an automatic ticket gate, and the IC card when the IC card is placed over the automatic ticket gate (Fig.3, #2 par [0025], par [0034-0048]), a par [0048-0056]; and a wireless communications control section operable : to determine, when the IC card is placed over the automatic ticket gate, that the

contactless communication requires a high security level in a case where said second wireless communications section accesses the memory area for storing the information regarding electronic money to perform processing of exchanging the electronic money with a reader/writer (Figs.7-8, par [0025], par [0034-0048], par [0048-0056]) [Mobile terminal apparatus stored the certificate information (electronic certificate) on the contactless IC card 15, the certificate information a12 is transmitted to the reader/writer 2. Then, the reader/writer 2 makes an authentication check (which is equivalent to an importance level or security level of information to be exchanged) on the certificate information . If the information is authenticated the reader/writer 2 transmits to the contactless IC card 15 a signal a14 (automatic mode change correspondence information) indicating that the reader/writer 2 has the automatic mode change function. The signal a14, the contactless IC card 15 transmits to the reader/writer 2 a mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information]

7. to prohibit, in order to prevent said first wireless communications section from causing radio interferences to said second wireless communications section, the mobile telephone communication performed by said first wireless communications section to an extent greater than a case where the memory area for storing the information regarding electronic money is not accessed (par [0048-0056]) [When a user enters a restricted place that is a concert hall, theater stadium, the user only has to put the mobile terminal apparatus over the reader/writer 2 to automatically switch the set state without manually

setting various functions such as the function of "automatically cutting off radio waves" thus preventing radio interferences. (See Fig.5, Fig.7, par [0051] and par [0053])]

With respect to claim 13, Hasegawa teaches A communications method used by a mobile telephone including (fig.2); a first wireless communications section for performing a mobile telephone communication via a communications network (Fig.2); and a second wireless communications section for reader/writer and performing a contactless communication, which is independent of the mobile telephone communication, between a reader/writer provided in an automatic ticket gate, and an IC card having a memory_ area for storing information regarding electronic money when the IC card is placed over the automatic ticket gate (Figs.2-5, Figs.7-8, par [0025], par [0034-0048], par [0048-0056]), the method comprising the steps of:

Determining an initiation of a contactless communication performed by the second wireless communications section (Figs.2-5, Figs.7-8, a par [0025], par [0034-0048], par [0048-0056]; and determining, at an initiation of the contactless communication, that the contactless communication requires a high security level in a case where the second wireless communications section accesses the memory area for storing the information regarding electronic money is not accessed, and prohibiting, in order to prevent the first wireless communications section from causing radio interferences to the second wireless communications section, the mobile telephone communication performed by the first wireless communications section to an extent greater than a case where the

memory area for storing the information regarding electronic money is not accessed (Figs.2-5, Figs.7-8, par [0025], par [0034-0048], par [0048-0056]) [Mobile terminal apparatus stored the certificate information (electronic certificate) on the contactless IC card 15, the certificate information a12 is transmitted to the reader/writer 2. Then, the reader/writer 2 makes an authentication check (which is equivalent to an importance level or security level of information to be exchanged) on the certificate information . If the information is authenticated the reader/writer 2 transmits to the contactless IC card 15 a signal a14 (automatic mode change correspondence information) indicating that the reader/writer 2 has the automatic mode change function. The signal a14, the contactless IC card 15 transmits to the reader/writer 2 a mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information]

With respect to claim 14, Hasegawa teaches A communications program stored on a computer-readable medium that is executed by a mobile telephone including a first wireless communications section (Fig.2) for performing:

a mobile telephone communication via a communications network, and a second wireless communications section for receiving performing a contactless communication, which is independent of the mobile telephone communication, between a reader/writer based terminal provided in an automatic ticket gate, an IC card having a memory area for storing information regarding electronic money when the IC card is

placed over the automatic ticket gate, the program causing the mobile telephone to perform the steps (Figs.2-5, Figs.7-8, par [0025], par [0034-0048], par [0048-0056]) of:

determining an initiation of a contactless communication performed by the second wireless communications section (Figs.2-5, figs.7-8, par [0025], par [0034-0048], apar [0048-0056]) and determining , at an initiation of the contactless communication, that the contactless communication requires a high security level, in a case where the second wireless communications section accesses the memory area for storing the information regarding electronic money is not accessed, and prohibiting, in order to prevent the first wireless communications section from causing radio interferences to the second wireless communications section, the mobile telephone communication performed by the first wireless communications section to an extent greater than a case where the memory area for storing the information regarding electronic money is not accessed (Figs.2-5, Figs.7-8, par [0025], par [0034-0048], par [0048-0056]). [Mobile terminal apparatus stored the certificate information (electronic certificate) on the contactless IC card 15, the certificate information a12 is transmitted to the reader/writer 2. Then, the reader/writer 2 makes an authentication check (which is equivalent to an importance level or security level of information to be exchanged) on the certificate information . If the information is authenticated the reader/writer 2 transmits to the contactless IC card 15 a signal a14 (automatic mode change correspondence information) indicating that the reader/writer 2 has the automatic mode change function. The signal a14, the contactless IC card 15 transmits to the reader/writer 2 a mode

ON/OFF information acquisition request a15 to acquire the mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information]

With respect to claim 15, Hasegawa teaches an integrated circuit used in mobile telephone which accommodates an IC card having a memory area for storing information regarding electronic money, the mobile telephone including a first wireless communications section for performing a wireless communication via a communications network and a second wireless communications section for performing a contactless communication which is independent of the mobile telephone communication, between a reader/writer provided in an automatic ticket gate and the IC card when the IC card is placed over the automatic ticket gate the integrated circuit (Figs.2-5, Figs.7-8, par [0025], par [0034-0048], par [0048-0056]). comprising:

a circuit functioning as a wireless communications control section operable to determine, analysis when the IC card is placed over the automatic ticket gate, that the contactless communication requires a high security level in a case where the second wireless communications section accesses the memory area for storing the information regarding electronic money to perform processing on exchanging the electronic money with the reader/writer; mad to prohibit, in order to prevent the first wireless communications section from causing radio interferences to the second wireless communications section, the mobile telephone communication performed by the first wireless communications section to an extent greater than a case where the

memory area for storing the information regarding electronic money is not accessed (Figs.2-5, Figs.7-8, par [0025], par [0034-0048], par [0048-0056]). [Mobile terminal apparatus stored the certificate information (electronic certificate) on the contactless IC card 15, the certificate information a12 is transmitted to the reader/writer 2. Then, the reader/writer 2 makes an authentication check (which is equivalent to an importance level or security level of information to be exchanged) on the certificate information . If the information is authenticated the reader/writer 2 transmits to the contactless IC card 15 a signal a14 (automatic mode change correspondence information) indicating that the reader/writer 2 has the automatic mode change function. The signal a14, the contactless IC card 15 transmits to the reader/writer 2 a mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information acquisition request a15 to acquire the mode ON/OFF information]

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMAR DAGLAWI whose telephone number is (571)270-1221. The examiner can normally be reached on Monday- Friday (7:30 AM- 5:00 AM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NGUYEN DUC can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amar Daglawi
Examiner
Art Unit 2618

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Examiner, Art Unit 2618

/Duc Nguyen/

Supervisory Patent Examiner, Art Unit 2618

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